

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SPORTBOX LLC, and
WILLIAM V. FRABIZIO III

Plaintiffs,

v.

ELECTRIC-SPORTS, INC.,
JOHN E. CONWAY, and MARK BORTMAN

Defendants.

CIVIL ACTION No. 04-12588 DPW

ELECTRIC SPORTS, INC.,
JOHN E. CONWAY, and MARK BORTMAN

Plaintiffs in Counterclaim,

v.

SPORTBOX LLC, and
WILLIAM V. FRABIZIO III,

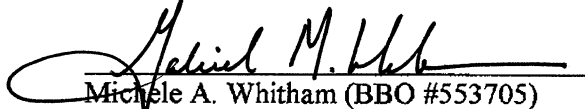
Defendants in Counterclaim.

DEFENDANTS' CERTIFICATION PURSUANT TO LOCAL RULE 16.1

Defendants Electric Sports, Inc., John E. Conway and Mark Bortman (collectively, “Defendants”) hereby submit the following certification, pursuant to Local Rule 16.1 of the United States District Court for the District of Massachusetts:

The undersigned counsel, Mark Bortman and John E. Conway who are the authorized representatives of Electric Sports, Inc., hereby affirm that they have conferred: (a) with a view to establishing a budget for the costs of conducting the full course -- and various alternative courses -- of this litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

ELECTRIC SPORTS, INC.,
MARK BORTMAN and JOHN E. CONWAY,



Michele A. Whitham (BBO #553705)

Gabriel M. Helmer (BBO #652640)

Foley Hoag LLP

155 Seaport Blvd.

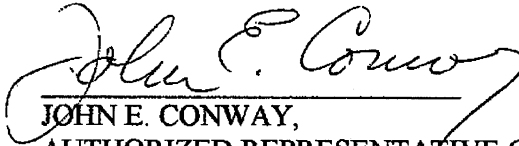
Boston, MA 02210

(617) 832-1000

Dated: March 18, 2005

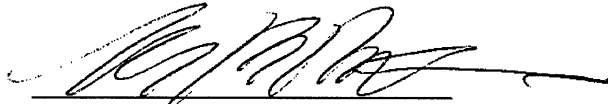
ATTORNEYS FOR DEFENDANTS

ELECTRIC SPORTS, INC.,
MARK BORTMAN and JOHN E. CONWAY,



JOHN E. CONWAY,

AUTHORIZED REPRESENTATIVE OF ELECTRIC
SPORTS



MARK BORTMAN,

AUTHORIZED REPRESENTATIVE OF ELECTRIC
SPORTS

Dated: March 18, 2005